REMARKS

Reconsideration and allowance are respectfully requested. Claims 1-12 are currently pending, with Claims 10-12 being new. Claims 1-9 were rejected. Claims 1-5 have been amended for clarity. No new matter has been entered. Based on the following remarks, it is believed that all pending claims are in condition for allowance and a notice to that affect is respectfully requested.

I. Objection to Claim 1

Claim 1 was objected to due to a wording informality ("for reading and for reading"). In response, Claim 1 has been amended for clarity, as well as to correct the noted informality.

II. §103(a) Rejection based on Hohle and Sheldon

Claims 1-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,101,477 to Hohle in view of U.S. Patent No. 5,504,321 to Sheldon. Based on the following remarks, Applicants respectfully traverse this rejection.

The current invention is a method of booking access entitlement to a facility, such as a ski resort, where a data carrier, such as an ID card, is used to gain access to the various areas of the resort. According to amended Claim 1, this is accomplished by:

> determining identification data that is coded within the data carrier as well as provided visibly on the data carrier;
>
> conveying the visible identification data, together with access entitlement data to be booked, via a telecommunication device to the access terminal and storing it there;

> acknowledging arrival at the facility by identifying the data carrier at the access terminal with the data communication device by comparison of the identification data coded thereon with the stored identification data; and
>
> coding the previously booked access entitlement data onto the identified data carrier by the data communication device

(emphasis added).

In contrast to the claimed invention, Hohle does not disclose a method of booking access to a facility by conveying identification data and access entitlement data over a telecommunication device to an access terminal, and then upon arrival at the facility, coding the previously booked access entitlement data onto the data carrier. Instead, Hohle discloses a travel-related smart card that can be used to book and confirm a hotel reservation.

More specifically, Hohle discloses a smart card that must always be used in conjunction with a card issuer and one or more computer access point that connect to the Hotel. (See Figure 10) After obtaining a card from card issuer 10, a person must use their smart card to access one of a plurality of computer access points/card readers 15, which are located in various locations such as airline ticketing and gate areas, rental car facilities, hotel lobbies, etc. (See Hohle, 6:17-27) Each access point connects over a network to the various hotels or other participating partners 12 in the smart card reservation system. (See Figure 10) The person places their smart card into the access point 15 and requests a room reservation. The access point 15 transmits the request over the network to the hotel 12. Once a reservation has been made, the hotel 12 transmits a confirmation number over the network back to the access point 15, which then downloads the confirmation number onto the smart card. Upon arrival at the

hotel, the person inserts their smart card into another access point 15, which then proceeds to automatically check them in.

Based on the above, Hohle is seen to disclose a different type of reservation system that requires a plurality of computerized access points. Specifically, for Hohle to function, there has to be at least one access point located at the facility, as well as one or more access points located off site from but in communication with the facility. This is because in the system disclosed in Hohle, all remote requests for a reservation must be done through an access point/card reader.

In contrast, the claimed invention has no such limitation as a person is able to communicate a request for a reservation using a variety of methods, such as simply calling in via a telephone and communicating the request, as well as the user's identification data, by speech. Alternatively, one of several common data communication methods, such as short message service (SMS) over a standard mobile phone, can be utilized to make the request and relay the users identification data. As no off-site access point/card reader is required to make a remote request in the claimed invention, a reservation can be made from any place, such as, for example, a moving car via a mobile phone.

The reference of Sheldon is cited to supplement the deficiencies in Hohle, such as the use of visible data on the carrier (i.e., card). However, Sheldon only discloses the structure of a specific type of smart card designed to replace typical airline tickets. Sheldon does not disclose any type of remote reservation system. Indeed, Sheldon simply discloses that kiosks located within the airport produce the smart card-based plane ticket. (See Sheldon, 3:31-36)

For the above reasons, Applicants believe that independent claim 1, along with claims 2-9 dependent

therefrom, are allowable over the references of Hohle and Sheldon, taken either individually or in combination.

III. §103(a) Rejection based on Hohle, Sheldon and Forslund

Claims 1-8 were additionally rejected under 35 U.S.C. §103(a) as being unpatentable over Hohle and Sheldon in view of U.S. Patent No. 6,250,557 to Forslund. Based on the following remarks, Applicants respectfully traverse this rejection.

Forslund discloses a smart card wallet capable of making secure electronic payments. Specifically, a smart card wallet contains one or more smart cards, and includes a microcontroller that connects to the smart cards via a data bus, as well as a short range radio transceiver capable of communicating with a mobile phone. In making an electronic payment to a third party, data from the smart card is transmitted by the radio transceiver to the mobile phone, which in turn dispatches the data to the opposite party of the transaction. Accordingly, a person is able to purchase goods or services and be able to pay for the purchase without having to orally disclose any of their financial information. Instead, all pertinent payment information is retrieved off the smart card and conveyed electronically via the smart card wallet.

Forslund does not disclose any type of remote reservation system where, for example, a user communicates a card identification code, along with the desired reservation information, to a facility by means such as a telephone conversation, SMS message, etc., and upon arrival at the facility, the user inserts their card into an access point where data pertaining to the previously requested or reserved service is written to the card. Accordingly, any type of reservation transaction in Forslund would be conducted in a more traditional, less-automated manner.

Based on the above, Forslund is seen to simply disclose a method of making electronic paymens, and is not even directly concerned with a method of making remote reservations. Accordingly, Forslund fails to provide for the deficiencies of Hohle and Sheldon, as noted above. For the above reasons, Applicants believe that claims 1-8 are allowable over the references of Hohle, Sheldon and Forslund, taken either individually or in combination.

IV. §103(a) Rejection based on Hohle, Sheldon and Pinnow

Claim 9 was additionally rejected under 35 U.S.C. §103(a) as being unpatentable over Hohle and Sheldon in view of U.S. Patent No. 4,573,046 to Pinnow. Based on the following remarks, Applicants respectfully traverse this rejection.

Pinnow discloses a watch containing a transceiver that communicates with and controls an electronic locking mechanism. However, Pinnow fails to disclose any type of method for making a remote reservation. Accordingly, Pinnow fails to provide for the deficiencies of Hohle and Sheldon, as noted above. For the above reasons, Applicants believe that claim 9 is allowable over the references of Hohle, Sheldon and Pinnow, taken either individually or in combination.

V. New Claims 10-12

New independent Claim 10 calls for a method for remotely booking access entitlement (i.e., a reservation) to a facility using a portable data carrier that is visibly marked with identification data. Included in the method are steps for "manually providing identification data over the remote connection link to the computer server of the facility", as well as "identifying a user upon arrival at the facility" and "encoding the associated type of access entitlement onto the data carrier using the access terminal." For reasons similar to those stated above with respect to Claims 1-9, Applicants

believe that independent Claim 10 and dependent Claims 11-12 are allowable over any of the previously discussed prior art references, taken either individually or in combination.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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For Dale H. Thiel

DHT/SRT/cc

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